PENSION

INCREASE OF PENSIONS

1953 No. 121

The Federated Superannuation System for Universities (Pensions Increase) Regulations, 1953

Made - - - -	26*th January*, 1953
Laid before Parliament	28*th January*, 1953
Coming into Operation	31*st January*, 1953

The Lords Commissioners of Her Majesty's Treasury, in exercise of the powers conferred on Them by subsection (3) of section 5 of the Superannuation Act, 1946(a), and by that subsection as applied by subsection (1) of Section 3 of the Pensions (Increase) Act, 1952(b), and of all other powers enabling Them in that behalf, hereby make the following Regulations:—

1.—(1) These Regulations may be cited as the Federated Superannuation System for Universities (Pensions Increase) Regulations, 1953.

(2) The Interpretation Act, 1889(c), shall apply to the interpretation of these Regulations as it applies to the interpretation of an Act of Parliament.

(3) These Regulations shall come into operation on the thirty-first day of January, nineteen hundred and fifty-three.

2.—(1) In these Regulations, unless the context otherwise requires, the following expressions have the meanings hereby respectively assigned to them:—

"the Act of 1952" means the Pensions (Increase) Act, 1952;

"authority" means, in relation to any officer who was serving, at the date of his retirement from the civil service of the State with a Service or Revenue Department, that Department, and, in relation to any other officer, Her Majesty's Paymaster-General;

"dependant" has the meaning assigned to it by subsection (5) of section 1 of the Pensions (Increase) Act, 1944(d), as applied by subsections (4) and (5) of section 4 of the Act of 1952;

"notional annuity" has the meaning assigned to it by the Regulations of 1947;

"officer" means a person employed in the civil service of the State who is, or has been, subject to a superannuation scheme operated under the Federated Superannuation System for Universities;

"the Regulations of 1947" means the Federated Superannuation System for Universities (Pensions Increase) Regulations, 1947(e).

(2) Any reference in these Regulations to the provisions of any enactment or regulations shall be construed, unless the context otherwise requires, as a reference to those provisions as amended or re-enacted by any subsequent enactment or regulations.

(a) 9 & 10 Geo. 6. c. 60. (b) 15 & 16 Geo. 6 & 1 Eliz. 2. c. 45. (c) 52 & 53 Vict. c. 63
(d) 7 & 8 Geo. 6. c. 21. (e) S.R. & O. 1947/1531; Rev. XVII, p. 628; 1947 I, p. 1564.

3. These Regulations shall apply to any officer who—

(*a*) either—

(i) retires from the civil service of the State after attaining the age of sixty years, or

(ii) having retired from the civil service of the State not earlier than the 14th day of July, 1949, after attaining the age of fifty years, attains the age of sixty years, or

(iii) retires from the civil service of the State on account of physical or mental infirmity, and

(*b*) was employed in the civil service of the State and subject to a superannuation scheme operated under the Federated Superannuation System for Universities during a period which commenced before the 1st day of April, 1948.

4.—(1) Subject to the provisions of these Regulations, the authority may, in respect of any period after the 30th day of September, 1952, pay to any officer to whom these Regulations apply an allowance (hereinafter in these Regulations referred to as "the authorised allowance") at the following annual rate, that is to say:—

(*a*) where the officer is married or has at least one dependant, £26;

(*b*) where the officer is not married and has no dependants, £20:

Provided that where the officer's service ends after the 31st day of March, 1948, such rate as aforesaid shall be reduced by an amount equivalent to £1 for every year and any uncompleted part of a year by which that date precedes the day on which his service ends.

(2) The authorised allowance shall not be paid unless the authority is satisfied that neither the income of the officer nor his notional annuity exceeds, in the case of an officer who is married or has at least one dependant, £550 a year, and in the case of any other officer, £425 a year.

(3) The authorised allowance shall not in any case exceed one-third of the aggregate of the officer's notional annuity and any allowance granted to him under the Regulations of 1947, or, if no such allowance has been granted to him, one-third of his notional annuity.

(4) The authorised allowance shall not in any case exceed the amount which is necessary to increase the income of the officer or his notional annuity, whichever is the greater, to the sum specified in his case in paragraph (2) of this Regulation.

(5) Where the officer is in receipt of a pension in respect of which an increase is authorised under section 1 of the Act of 1952, the authorised allowance shall not exceed the difference between the amount which would represent the authorised allowance if his notional annuity were at a rate equal to the aggregate of the rates of that pension and his notional annuity and the amount of the increase of the said pension actually authorised as aforesaid.

(6) Where the officer is in receipt of a service pension as defined by paragraph 1 of the Second Schedule to the Pensions (Increase) Act, 1944, paragraph (5) of this Regulation shall apply for the purpose of ascertaining the amount of the authorised allowance as if that pension were a pension in respect of which an increase is authorised under section 1 of the Act of 1952; but paragraph 8 of the Second Schedule to the Pensions (Increase) Act, 1944 (which requires certain service pensions to be disregarded for the

purposes of paragraph 7 of that Schedule) shall apply for the purposes of this paragraph as if any reference to the said paragraph 7 included a reference to this paragraph.

(7) For the purposes of this Regulation an officer's service shall be deemed to end on the last day of the service in respect of which contributions are paid in his case under a superannuation scheme operated under the Federated Superannuation System for Universities.

5.—(1) The income of an officer shall be calculated for the purposes of these Regulations in accordance with the Increase of Pensions (Calculation of Income) Regulations, 1952(**a**), except that the sum to be disregarded under paragraph (4) of Regulation 3 of those Regulations shall be the first one hundred and four pounds of the amount by which his income exceeds his notional annuity.

(2) In calculating the income of an officer for the purposes of these Regulations the amount of any periodical payment derived from the superannuation benefit of and actually received by the officer shall be taken into account.

6. The provisions of the Increase of Pensions (General) Regulations, 1952(**b**), shall, so far as they are not inconsistent with the provisions of these Regulations, apply to an allowance authorised by these Regulations as if that allowance were an increase of pension authorised under section 1 of the Act of 1952.

7. The decision of the Treasury on any question which arises as to the application of these Regulations to any person, or as to the amount of any allowance authorised by these Regulations, or as to the reckoning of any service for such allowance, shall be final.

8. The Regulations of 1947 shall be amended by substituting for Regulation 3 thereof the following Regulation:—

" 3. These Regulations shall apply only to officers who—

(*a*) either—

(i) retire from the civil service of the State after attaining the age of sixty years, or

(ii) having retired from the civil service of the State not earlier than the 14th day of July, 1949, after attaining the age of fifty years, attain the age of sixty years, or

(iii) retire from the civil service of the State on account of physical or mental infirmity, and

(*b*) were employed in the civil service of the State and subject to a superannuation scheme operated under the Federated Superannuation System for Universities during a period which commenced before the 1st day of July, 1944."

Dated this 26th day of January, 1953.

Herbert Butcher,
Edward Heath,
Two of the Lords Commissioners of Her Majesty's Treasury.

(**a**) S.I. 1952/1535; 1952 II, p. 2336.
(**b**) S.I. 1952/1536; 1952 II, p. 2341.

EXPLANATORY NOTE

(This Note is not part of the Regulations, but is intended to indicate their general purport.)

These Regulations are made under Section 5 of the Superannuation Act, 1946, as applied by Section 3 of the Pensions (Increase) Act, 1952. They provide for an increase of pension to be granted to persons who have been subject to the Federated Superannuation System for Universities during their employment in the civil service of the State. The increases are on a scale corresponding to those which have been granted under the Pensions (Increase) Act, 1952, to civil servants subject to the Superannuation Acts. The conditions of eligibility for increase are broadly the same as those prescribed in the Pensions (Increase) Act, 1952, though certain modifications have been made to enable the increases to be applied to pensions based on an insurance scheme. The Regulations also make a minor amendment in the Federated Superannuation System for Universities (Pensions Increase) Regulations, 1947, which provide for benefits corresponding to those in the Pensions (Increase) Acts, 1944 and 1947.

1953 No. 449

The Increase of Pensions (Extension) Regulations, 1953

Made - - - -	17*th March*, 1953
Laid before Parliament	19*th March*, 1953
Coming into Operation	23*rd March*, 1953

The Lords Commissioners of Her Majesty's Treasury in exercise of the powers conferred upon Them by section 5 of the Pensions (Increase) Act, 1947(**a**), as modified by section 3 of the Pensions (Increase) Act, 1952(**b**), and of all other powers enabling Them in that behalf hereby make the following Regulations:—

1.—(1) These Regulations may be cited as the Increase of Pensions (Extension) Regulations, 1953.

(2) The Interpretation Act, 1889(**c**), shall apply to these Regulations as it applies to the interpretation of an Act of Parliament.

(3) These Regulations shall come into force on the twenty-third day of March, nineteen hundred and fifty-three, and shall have effect

(*a*) so far as they relate to the like increases of pensions as are authorised by the Pensions (Increase) Act, 1952, as from the first day of October, nineteen hundred and fifty-two ;

(*b*) so far as they relate to any other increases, as from the thirtieth day of July, nineteen hundred and fifty-one.

2.—(1) In these Regulations the expression "the Act of 1944" means the Pensions (Increase) Act, 1944(**d**).

(2) Any reference in these Regulations to any enactment shall be construed, unless the context otherwise requires, as a reference to that enactment as modified or applied by or by virtue of any subsequent enactment.

(a) 10 & 11 Geo. 6. c. 7.
(b) 15 & 16 Geo. 6 & 1 Eliz. 2. c. 45.
(c) 52 & 53 Vict. c. 63.
(d) 7 & 8 Geo. 6. c. 21.